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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/575,174
Filing Date: April 07, 2006
Appellant(s): MIURA, YUKI

Peter Yim
Reg. No. 44,417
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 12 March 2010 appealing from the Office

action mailed 14 October 2009.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying

by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial

proceedings which will directly affect or be directly affected by or have a bearing on the

Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1-19 are rejected and pending.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of

amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter

contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of

rejection to be reviewed on appeal. Every ground of rejection set forth in the Office

action from which the appeal is taken (as modified by any advisory actions) is being

maintained by the examiner except for the grounds of rejection (if any) listed under the

subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are

provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in

the Appendix to the appellant's brief.

(8) Evidence Relied Upon

GB 2329309	Beranek et al.	3-1999
US 2005/0091224	Fisher et al.	4-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Beranek et al. (GB 2329309, published 17 March 1999) and further in view of Fisher et

al. (US 2005/0091224, filed 22 October 2003, hereafter Fisher).

As per independent claim 1, Beranek discloses a device information display

system for displaying device internal information of one or more information devices,

comprising:

an information browsing unit which acquires and analyzes document data

described in a markup language, converts the acquired document data into layout data

having a prescribed structure based on results of the analysis, and makes a display

based on the layout data (page 5, line 7- page 6, line 20; page 8, lines 9-17)

generation of display data having a structure equivalent to the prescribed

structure of the layout data generated by the information browsing unit, and displays the

generated display data through the information browsing unit (page 5, line 7- page 6,

line 20; page 8, lines 9-17: Here, information about the device is obtained. Based upon

this information, the display is generated via a proxy server to define a device specific

display).

Beranek fails to specifically disclose wherein a device information providing unit

which acquires the device internal information of the one or more information devices,

displays data contains device internal information. However, Fisher discloses a device

information providing unit which acquires the device internal information of the one or

more information devices, displays data contains device internal information (Figure 1;

paragraph 0018: Here, system information is obtained about each system. This system

information is loaded into a page generation module, which displays the system

information within a web page template). It would have been obvious to one of ordinary

skill in the art at the time of the applicant's invention to have combined Fisher with

Beranek, since it would have allowed a user to view device specific parameters.

As per dependent claim 2, Beranek discloses the device information displaying

system wherein the device information providing unit has stylized data corresponding to

the type of information device to be used as a base of the display data (page 8, line 9-

17).

As per dependent claim 3, Beranek discloses wherein the stylized data are

prepared in multiple type corresponding to the types of information devices (page 2,

lines 9-20).

As per dependent claim 4, Beranek discloses wherein the device information

providing unit further has a function of writing operation information, including at least

one of setting information and a control instruction, into the one or more information

devices (Figure 6: Here, the remove/replace operation is a rewrite of page information).

As per dependent claim 5, Beranek discloses wherein the device information

providing unit includes a device information interface which functions as an interface for

receiving a request signal according to a prescribed procedure and executing the

acquisition of the device internal information from the one or more information devices

and the writing of the operation information according to the request signal (Figure 4:

Here, the HTTP Proxy acts as the interface between the client browser and the server).

As per dependent claim 6, Beranek discloses wherein:

the information browsing unit and the device information unit and the device

information providing unit are implemented in one information device (Figure 4: Here,

the client contains a browsing unit)

the device information interface acquires the device internal information of the

one information device (Figure 4; column 8, lines 9-17)

As per dependent claim 7, Beranek discloses wherein the device information interface is connected to the one or more information devices via a wired and/or wireless network and acquires the device internal information from the one or more information devices via the network (Figure 1).

As per dependent claim 8, Beranek discloses wherein the one or more information devices include at least one of a cellular phone, a home information appliance, and a vehicle-mounted device (Figure 2A).

As per dependent claim 9, Beranek discloses wherein the device internal information includes at least one of information on the types of the information devices and information on peripheral devices of each of the one or more information devices (page 8, lines 9-17).

As per claims 10-18, the applicant discloses the limitations similar to those in claims 1-9, respectively. Claims 10-18 are similarly rejected.

As per claim 19, the applicant discloses the limitations similar to those in claim 1. Claim 19 is similarly rejected.

(10) Response to Argument

The appellant's initial argument, with respect to claim 1, is based upon the belief that the prior art fails to disclose generation of display data having a structure equivalent to the prescribed structure (page 6). The examiner respectfully disagrees. This argument is based upon the belief that the prior art fails to disclose, conversion of "the acquired document data into a layout having a prescribed structure (claim 1, lines 4-5; page 6)." The applicant argues that the prescribed structure "is a structure that has

been converted from document data and, therefore, by definition cannot be an HTML

document because the HTML document is itself document data (page 7)." The

examiner respectfully disagrees with this argument. The claimed invention does not

preclude the prescribed structure from being an HTML document. Instead, the claim

merely requires conversion of the acquired document data, which is described in a

markup language, into layout data having a prescribed structure (claim 1, lines 3-5).

The claim does not require that the document data be converted into a format different

than the document data. Instead, it is merely required that the document data is

converted into layout data. For this reason, this argument not persuasive.

The appellant further argues that Beranek fails to disclose acquisition of device

internal information of the one or more information devices and displaying data

contained within the device internal information (pages 7-8). The examiner agrees with

this statement. However, the examiner is not relying upon Beranek for disclosing such

features. Instead, the examiner relies upon Fisher for such a disclosure. Fisher

discloses creation of a web page containing device internal information (Figure 1;

paragraph 0018). This obtained content is loaded into a page generation module, which

populates a page template for displaying the obtained data.

The appellant additionally argues that Fisher fails to disclose the providing unit

that, "acquires the device internal information of the one or more information devices,

[and] generates display data containing the device internal information and having a

structure equivalent to the prescribed structure of the layout data generated by the

information browsing unit (page 8)." However, the examiner does not rely upon Fisher

for disclosure of such a limitation. Instead, the examiner relies upon Fisher for

acquisition of device internal information of the one or more information devices and

containing the information within a document (Figure 1; paragraph 0018). However,

Beranek discloses generation of display data having a structure equivalent to the

prescribed structure of the layout data (page 5, line 7- page 6, line 20; page 8, lines 9-

17). Such a combination would have reformatted the data obtained by Fisher into the

prescribed layout obtained by Beranek, thus displaying the obtained data in a layout

having a structure prescribed by the web appliance, and having an enhanced look and

feel. It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to have combined Fisher with Beranek, since it would have allowed

a user to view device specific parameters.

With respect to claims 10 and 19, the applicant relies upon the arguments

presented with respect to claim 1 (pages 9-10). These arguments are not persuasive

for the reasons above.

With respect to claims 2-9 and 11-18, the applicant relies upon the arguments

presented with respect to claim 1 (page 10). These arguments are not persuasive for

the reasons above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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